

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 3 March 2015 10:18 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Information on the Regulatory Status of NBTs [SEC=UNCLASSIFIED]

Dear Mr [REDACTED]

I am responding to your request below about New Zealand's domestic policy in relation to food derived using NBTs. I believe you have already been contacted about New Zealand's domestic policy regarding the environmental release of organisms modified using NBTs.

The relevant regulation in relation to food derived using NBTs is Standard 1.5.2 - Food produced using Gene Technology, in the Australia New Zealand Food Standards Code (the Code). The Code is developed and administered by Food Standards Australia New Zealand (FSANZ), a bi-national regulatory agency. Standard 1.5.2 applies in New Zealand as well as Australia and requires pre-market approval for all food produced using gene technology. The standard contains definitions for 'food produced using gene technology' and 'gene technology', although it is acknowledged that these definitions may be ambiguous with respect to certain NBTs.

In 2012 and 2013, FSANZ held technical workshops to discuss various NBTs. The reports of both workshops are available on the FSANZ website and can be accessed through this link - [New plant breeding techniques workshops](#)

The objectives of the workshop were to: enhance FSANZ's scientific knowledge and understanding of each of the techniques; and to discuss scientific, technical and regulatory issues, including whether derived food products should be regarded as genetically modified (GM) food. FSANZ has advised that the scientific conclusions from the workshops may constitute a relevant consideration to which FSANZ may have regard when considering whether to accept an application to amend Standard 1.5.2 to approve a new food produced using gene technology in the Code – this decision would involve an assessment by FSANZ on whether the technique was captured under the definitions in Standard 1.5.2.

It should be noted however that FSANZ does not have the legislative power to provide interpretive or enforcement advice in relation to the Code, including Standard 1.5.2, and is therefore unable to advise, prior to application, if foods derived from certain NBTs require pre-market approval under Standard 1.5.2. In New Zealand, responsibility for the interpretation and enforcement of the Code rests with Ministry of Primary Industries (MPI).

FSANZ continues to monitor the international and domestic situation with regard to NBTs and is currently considering what options may be available to further address the issues.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: Saturday, 17 January 2015 3:48 AM

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To: [REDACTED]

Subject: Information on the Regulatory Status of NBTs

Dear Sir,

My name is [REDACTED], and I am contacting you on behalf of [REDACTED] the Chairman of the 'New Breeding Techniques (NBT) Platform'. The NBT Platform is a coalition of SMEs, large industry representatives and members of prominent academic and research institutes which strives to bring clarity to the European debate on plant new breeding techniques.

We contacted you in early 2013 in order to collect information on New Zealand's domestic policie(s) and/or legislation(s) targeting at NBTs. We are getting in touch with you again to ask you whether you could report to us any possible new developments on that subject.

As you may be aware, the European Commission is in the process of forming an official position with regards to regulating NBTs. We know by experience that the European Union usually takes account of policies in third countries when adopting its own position (and '*vice versa*'). We therefore strive to gather any relevant information on non-EU countries legislations on that subject.

In case you are not following this particular topic, could you please direct me to one of your colleagues.

Thanking you in advance for your collaboration, I remain at your disposal in case you require any precisions concerning the above request or the NBT Platform activities.

Best regards,

[REDACTED]

[REDACTED]

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